

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA** :

**v.** :

**DAVID VEGA MOLINA** : **Cr. 99-295 (DRD)**

**DEFENDANT'S MOTION FOR ADDITIONAL TIME  
WITHIN WHICH TO COMPLETE DISCOVERY REVIEW  
AND REQUEST ADDITIONAL DOCUMENTS**

TO THE COURT:

DEFENDANT, David Vega Molina, hereby moves for additional time within which to review the discovery provided to date and request additional discovery on the grounds and for the reasons stated as follows:

1. At our last status conference eight days ago, this Court issued an order to the effect that further discovery requests were to be submitted by December 8.
2. Since the last status conference, counsel has been actively engaged in hearings, trial and trial preparation for cases heard or scheduled during that time. On Tuesday, November 29, she was before this Court between noon and six o'clock in the afternoon. Between Wednesday, November 30 and Friday, December 2 at noon, she was engaged in an evidentiary hearing before the Equal Opportunity Commission in Carlos Colón Hernández v. Department of Justice, EEOC Case No. 150-2004-00183X, at which three witnesses testified for the complainant and three for the respondent. On

Monday, December 5, counsel attended the all day CLE seminar on sentence mitigation offered by the District Court and the Federal Public Defender's office. Today, December 6, she had a felony trial scheduled in Pueblo de Puerto Rico v. Carlos Matos Romer, Crim. Núm. KSC2004G0514-0516. The trial was not held only because one or more of the parties/witnesses failed to appear.

3. Counsel is presently drafting the response to one of three questions posed by the Court of Appeals for the Eleventh Circuit on a grant of reargument en banc in which the brief, sections of which are being written in different parts of the United States, must be filed in Atlanta by December 15.

4. Counsel has worked both days of every weekend since October 16, but will not have sufficient time to carefully review and analyze all the discovery provided to date in order to determine what exhibits and reports made over the course of this lengthy and complex investigation must exist but have not been turned over to counsel to date.

5. During the second half of December, counsel currently has no other hearings or trials scheduled.

WHEREFORE, it is respectfully requested that the defense be granted a minimum of an additional ten days from the date originally set, December 8, to complete her review of the discovery provided to date, her prior discovery letters to the prosecution, and request additional discovery which has not been provided.

#### CERTIFICATION

I hereby certify that on this date, the foregoing was electronically filed with the Clerk of the Court via CM/ECF system, which will cause a copy to be electronically served upon all counsel of record.

Respectfully submitted:

December 6, 2005

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